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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
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09/928,795

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Damian Lyons

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PHILIPS INTELLECTUAL PROPERTY & STANDARDS

P.O. BOX 3001

BRIARCLIFF MANOR, NY 10510

EXAMINER

CHOOBIN, BARRY

ART UNIT

PAPER NUMBER

2625

DATE MAILED: 08/23/2004

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary

Application No.

09/928,795

Applicant(s)

LYONS

Examiner

Barry Choobin

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-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133).
- Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☐ Responsive to communication(s) filed on ____.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-16 is/are pending in the application.
- 4a) Of the above claim(s) ____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) ____ is/are allowed.
- 6) ☒ Claim(s) 1-16 is/are rejected.
- 7) ☐ Claim(s) ____ is/are objected to.
- 8) ☐ Claim(s) ____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☒ The specification is objected to by the Examiner.
- 10) ☒ The drawing(s) filed on 15 January 2002 is/are: a) ☐ accepted or b) ☒ objected to by the Examiner.
- Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
- Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. §§ 119 and 120

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
- ☐ Certified copies of the priority documents have been received.
 - ☐ Certified copies of the priority documents have been received in Application No. ____.
 - ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).
- * See the attached detailed Office action for a list of the certified copies not received.
- 13) ☐ Acknowledgment is made of a claim for domestic priority under 35 U.S.C. § 119(e) (to a provisional application) since a specific reference was included in the first sentence of the specification or in an Application Data Sheet. 37 CFR 1.78.
- a) ☐ The translation of the foreign language provisional application has been received.
- 14) ☐ Acknowledgment is made of a claim for domestic priority under 35 U.S.C. §§ 120 and/or 121 since a specific reference was included in the first sentence of the specification or in an Application Data Sheet. 37 CFR 1.78.

Attachment(s)

- 1) ☒ Notice of References Cited (PTO-892)
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- 3) ☒ Information Disclosure Statement(s) (PTO-1449) Paper No(s) 2.
- 4) ☐ Interview Summary (PTO-413) Paper No(s). ____.
- 5) ☐ Notice of Informal Patent Application (PTO-152)
- 6) ☐ Other: _____

DETAILED ACTION

Information Disclosure Statement

1. The information disclosure statement (IDS) submitted on August 13, 2001 is in compliance with the provisions of 37 CFR 1.97. Accordingly, the information disclosure statement is being considered by the examiner.

Specification

2. The specification is objected to as failing to provide proper antecedent basis for the claimed subject matter. See 37 CFR 1.75(d)(1) and MPEP § 608.01(o). Correction of the following is required: providing antecedent basis for claims 3 and 6 in the specification. Specification should be amended in a way to include features of claims 3 and 6.

Drawings

3. Figure 1 should be designated by a legend such as --Prior Art-- because only that which is old is illustrated. See MPEP § 608.02(g). Corrected drawings in compliance with 37 CFR 1.121(d) are required in reply to the Office action to avoid abandonment of the application. The replacement sheet(s) should be labeled "Replacement Sheet" in the page header (as per 37 CFR 1.121(d)) so as not to obstruct any portion of the drawing figures. If the changes are not accepted by the examiner, the applicant will be notified and informed of any required corrective action in the next Office action. The objection to the drawings will not be held in abeyance.

Claim Rejections - 35 USC § 112

4. The following is a quotation of the first paragraph of 35 U.S.C. 112:

The specification shall contain a written description of the invention, and of the manner and process of making and using it, in such full, clear, concise, and exact terms as to enable any person skilled in the art to which it pertains, or with which it is most nearly connected, to make and use the same and shall set forth the best mode contemplated by the inventor of carrying out his invention.

5. Claims 3 and 6 are rejected under 35 U.S.C. 112, first paragraph, as failing to comply with the enablement requirement. The claim(s) contains subject matter which was not described in the specification in such a way as to enable one skilled in the art to which it pertains, or with which it is most nearly connected, to make and/or use the invention.

6. As to claims 3 and 6, these claims require a method that includes measuring a volume flow rate through said filter which was not described in the specification in such a way as to enable one skilled in the art to which it pertains, or with which it is most nearly connected, to make and/or use the invention.

Claim Rejections - 35 USC § 112

7. The following is a quotation of the second paragraph of 35 U.S.C. 112:

The specification shall conclude with one or more claims particularly pointing out and distinctly claiming the subject matter which the applicant regards as his invention.

Claims 3 and 6 recite the limitation "said first step of flowing includes measuring a volume flow rate" in lines 1-2. There is insufficient antecedent basis for this limitation in the claims.

Claim Rejections - 35 USC § 112

8. The following is a quotation of the second paragraph of 35 U.S.C. 112:

The specification shall conclude with one or more claims particularly pointing out and distinctly claiming the subject matter which the applicant regards as his invention.

Claims 11, 12 and 14 are rejected under 35 U.S.C. 112, second paragraph, as being indefinite for failing to particularly point out and distinctly claim the subject matter which applicant regards as the invention.

As to claims 11, 12 and 14, claims' language fail to point out whether "each divided into spatially separate parts" refers to frames or refers to multiplexed moving image.

Claim Rejections - 35 USC § 103

9. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made

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to a person having ordinary skill in the art to which said subject matter pertains.

Patentability shall not be negated by the manner in which the invention was made.

10. Claims 1-14 are rejected under 35 U.S.C. 103(a) as being unpatentable over Larid et al (US 6,647,361) in view of Hudson (US 6,069,553 admitted prior art).

As to claim 1, Larid et al disclose a method of analyzing content in video data, comprising the steps of:

multiplexing said video data such that video of multiple scenes are distributed in a single video stream (column 8, lines 27-50), at least part of each of said video data being apportioned to a respective part of a moving image defined by a resulting multiplexed moving image (column 8, lines 50-54 wherein a selection of digitized portion of the four video stream from the video camera is made).

Larid et al does not expressly disclose analyzing content of said multiplexed video image such that data in others of said each of said video data is ignored to produce an analysis particular to one of said multiple scenes.

Hudson discloses analyzing content of said multiplexed video image such that data in others of said each of said video data is ignored to produce an analysis particular to one of said multiple scenes (see fig.4c-4d wherein only three images are to be displayed and forth one will be black since there is no activity going on).

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Larid et al and Hudson are combinable because both are concern with detecting an event (motion); furthermore both are using multiple cameras and multiplexing the signals for analyzing.

Therefore, it would have been obvious to a person of ordinary skill in the art at the time the invention was made to modify Larid et al with Hudson in order to only display active alarms (column 8, lines 52-61 of Hudson).

The suggestion/motivation for doing so would have been facilitating a more effective analysis of the information generated by the control system as a result of those alarm signals (column 2, lines 12-16 of Hudson).

Therefore, it would have been obvious to combine Hudson with Larid et al to obtain the invention as specified in claim 1.

As to claim 2, both Larid et al and Hudson disclose said at least part of each of said video data is a sub sampled moving image (approaching vehicle in Larid et al, and a movement detector of Hudson, column 3, lines 40-45).

As to claims 3 and 6, Larid et al disclose a first step of flowing includes measuring a volume flow rate through said filter and determining a duration of said first interval responsively to a result of said measuring said volume flow rate (in light of paragraphs 2 and 4-6 of Office action above, the Examiner best interpretation of said claims corresponds to fig.5 of Larid et al).

As to claims 4, 5, 7 and 5, Larid et al disclose recording said multiplexed moving image (memory 92).

As to claim 8, Larid et al disclose a method of analyzing multiple video channels, comprising the steps of:

multiplexing multiple video data sets at said multiplexer to produce a

Spatially multiplexed moving image (fig.32 wherein approaching view and receding view correspond to multiplexing multiple video spatially); analyzing at least a first portion of said spatially multiplexed moving image (fig.5, 104 and column 8, lines 50-54), said first portion corresponding to a first of said channels (in Larid et al column 8, lines 50-64 wherein portions of four video streams (channels) form the video cameras are selected. Inherently each video stream or channel corresponds to respective portion).

Larid et al does not expressly disclose analyzing content of said multiplexed video image such that data in others of said each of said video data is ignored to produce an analysis particular to one of said multiple scenes.

Hudson discloses analyzing content of said multiplexed video image such that data in others of said each of said video data is ignored to produce an analysis particular to one of said multiple scenes (see fig.4c-4d wherein only three images are to be displayed and forth one will be black since there is no activity going on).

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Larid et al and Hudson are combinable because both are concern with detecting an event (motion); furthermore both are using multiple cameras and multiplexing the signals for analyzing.

Therefore, it would have been obvious to a person of ordinary skill in the art at the time the invention was made to modify Larid et al with Hudson in order to only display active alarms (column 8, lines 52-61 of Hudson).

The suggestion/motivation for doing so would have been facilitating a more effective analysis of the information generated by the control system as a result of those alarm signals (column 2, lines 12-16 of Hudson).

Therefore, it would have been obvious to combine Hudson with Larid et al to obtain the invention as specified in claim 8.

As to claim 9, Larid et al disclose recording said multiplexed moving image on a video recorder (column 27, lines 53-65).

As to claims 10 and 13, Hudson discloses spatially demultiplexing said multiplexed moving image such as to produce multiple moving images, each corresponding to a respective one of said channels (column 9, lines 1-10 wherein controller 4 reverts to its normal mode of operation mode "demultiplexing" and four monitors can display various images from the various video sources).

As to claims 11, 12 and 14, Larid et al disclose spatially multiplexed moving image contains multiple frames (tracker 54, fig.2), each divided into spatially separate parts, each part corresponding to a respective one of said channels (column 8, lines 50-54 wherein a selection of digitized portion of the four video stream from the video camera is made).

Claim Rejections - 35 USC § 102

11. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(b) the invention was patented or described in a printed publication in this or a foreign country or in public use or on sale in this country, more than one year prior to the date of application for patent in the United States.

(b) the invention was patented or described in a printed publication in this or a foreign country or in public use or on sale in this country, more than one year prior to the date of application for patent in the United States.

Claims 15 and 16 are rejected under 35 U.S.C. 102(b) as being anticipated by Hudson (US 6,069,653).

As to claim 15, Hudson disclose a device for analyzing video content on multiple channels, comprising: an input adapted to receive spatially multiplexed video data (fig.4c); a controller programmed to select spatially distinct portions of said video data

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(column 6, lines 15-25), each of said portions respective of a particular video data channel (Fig.4c); said controller being further programmed to analyze content of said spatially distinct portions such that data from one does not interfere with the analysis of another(see fig.4c-4d wherein only three images are to be displayed and forth one will be black since there is no activity going on).

As to claim 16, Hudson discloses a device as in claim 15 (see claim 15), wherein said spatially multiplexed video data contains frames (frame store 20), each of which is divided into separate sub frames (inherently each frame contains separate sub frame or parts), each of said sub frames each corresponding to a different scene imaged by a respective camera (fig.4a-4d).

CONTACT INFORMATION

12. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Barry Choobin whose telephone number is 703-306-5787. The examiner can normally be reached on M-F 7:30 AM to 18:30 PM.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Bhavesh Mehta can be reached on 703-308-5246. The fax phone number for the organization where this application or proceeding is assigned is 703-872-9306.

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Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

Barry Choobin
August 13, 2004



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